

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN KILLEY	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE	:	NO. 07-4890

**ORDER**

**AND NOW**, this 11th day of September, 2008, upon consideration of Plaintiff's "Motion for Summary Judgment or, in the Alternative, Plaintiff's Motion for Remand" (Docket No. 8), and Defendant's response thereto, and after careful review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo, to which the parties have filed no objections, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. Plaintiff's Motion is **GRANTED** to the extent that the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report and Recommendation.
3. In all other respects, Plaintiff's Motion is **DENIED**.

BY THE COURT:

/s/ John R. Padova, J.

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